

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LEAGUE OF WOMEN VOTERS)	
OF MICHIGAN, et al.,)	Case No. 2:17-cv-14148
)	
Plaintiffs,)	Hon. Eric L. Clay
)	Hon. Denise Page Hood
v.)	Hon. Gordon J. Quist
)	
JOCELYN BENSON, in her official)	PLAINTIFFS' RESPONSE TO
Capacity as Michigan)	CONGRESSIONAL AND
Secretary of State, et al.,)	LEGISLATIVE DEFENDANTS-
)	INTERVENORS' EMERGENCY
Defendants.)	MOTION TO STAY TRIAL

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**PLAINTIFFS' RESPONSE TO CONGRESSIONAL
AND LEGISLATIVE DEFENDANTS-INTERVENORS'
EMERGENCY MOTION TO STAY TRIAL**

Plaintiffs agree that the trial of this action, and all pretrial deadlines, should be continued. Plaintiffs support the continuance not for the reasons set forth in Congressional and Legislative Defendants-Intervenors' Emergency Motion to Stay Trial (ECF 183), but because of the high likelihood that the Secretary of State and Plaintiffs will soon reach a settlement of the issues in this case.

1. Plaintiffs and the Secretary ("Parties") have been discussing compromise resolution of this action. The Parties have discussed a structure for the settlement.

2. Both Parties have committed to reach a compromise and present it to the Court for approval. Though the Parties have not committed to a specific deadline, Plaintiffs anticipate that final terms will be concluded and the matter presented to the Court in the near future.

3. On January 10, 2018, the undersigned counsel notified Intervenors' counsel of the beginning of a settlement discussion and asked whether Intervenors were interested in a settlement. They have not chosen to participate in the discussion.

4. If the settlement is concluded in time, Plaintiffs will ask the Court to set a hearing on the proposed consent decree on February 5, 2019, or as soon thereafter as the Court's schedule allows.

5. Should the Court approve the proposed consent decree, the trial will not be necessary. The proposed decree will resolve all claims pending in this matter.

6. At least one significant motion is pending that will become moot if the Court approves a consent decree: Voters' Motion for Determination of the Existence of Privilege Claims under F.R.E. 104 (ECF 150). Voters respectfully ask the Court to hold this and all other pretrial motions and deadlines in abeyance until the Court decides Plaintiffs' and the Secretary's motion to approve a consent decree.

WHEREFORE, to allow reasonable and adequate time to complete the consent decree process and to avoid burdening the Court and the parties with further trial preparations under these circumstances, Plaintiffs respectfully ask the Court to continue the trial of this matter and all pending deadlines indefinitely pursuant to LR 40.2, and hold pending motions in abeyance.

Respectfully submitted,

Date: January 17, 2019

/s/ Joseph H. Yeager, Jr.

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Certificate of Service

I certify that on January 17, 2019, I have electronically filed the foregoing with the Clerk of the Court using the ECF system, which will send notification of this filing to all counsel of record in this matter.

/s/ Joseph H. Yeager, Jr.